

January 6, 2004

WASHINGTON STATE LABOR COUNCIL
ATTN: DIANE MCDANIEL
314 FIRST AVENUE WEST
SEATTLE WA 98119

Subject: Complaint against Affordable Housing Council-PDC Case No. 04-304

Dear Ms. McDaniel:

The Public Disclosure Commission staff has completed its investigation of your complaint received on October 28, 2003, alleging that the Affordable Housing Council (AHC) violated RCW 42.17 by making contributions in excess of the statutory limit.

Your complaint was reviewed in light of the following statutes:

RCW 42.17.105 prohibits any person from making, or a candidate or political committee from accepting from any one person, contributions that in the aggregate exceed more than \$5,000 during the 21 days before a general election.

RCW 42.17.020(14) states that a contribution does not include a contribution that is returned within five days of receipt.

You alleged that the AHC violated RCW 42.17 by making contributions that exceeded \$5,000 during the 21-day period preceding the 2003 general election (October 14, 2003 – November 3, 2003).

We found that:

- On October 17, 2003, the AHC filed a Last Minute Contribution Report (LMC) disclosing a \$23,857.50 contribution to the Washington Affordable Housing Council (WAHC), the political committee of the Building Industry Association of Washington (BIAW) that was made on October 16, 2003.
- The \$23,857.50 contribution from the AHC was presented to the WAHC at the BIAW's Fall Board Meeting on October 23, 2003. The WAHC checked with the PDC and, based upon that conversation, did not

deposit the contribution but instead returned the contribution the following day, October 24, 2003.

- The AHC filed an amended LMC report on October 27, 2003, indicating that the LMC report initially filed on October 17, 2003, regarding the \$23,857.50 contribution to the WAHC, was filed in error.

The WAHC returned the contribution one day after receipt on October 24, 2003. Thus, in accordance with RCW 42.17.020(14), no contribution was technically made by the AHC or received by the WAHC.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against the Affordable Housing Council.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll free at 1-877-601-2828.

Sincerely,

Vicki Rippie
Executive Director

c: Affordable Housing Council